

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2200 OF 2006
IN
APPEAL (LDG.) NO.453 OF 2006
IN
NOTICE OF MOTION NO.2930 OF 2003
IN
SUIT NO.878 OF 2001

Motilal M.Shah Appellant
V/s.
Suryakant K. Sheth & Ors. Respondents

Mr.Y.R. Shah for the Appellant.
Mrs.Vibha Shah i/b M/s.Shah & Sanghvi for the
Respondents.

**CORAM : DR.S. RADHAKRISHNAN &
S.J. VAZIFDAR, JJ.**

DATED : 31ST JULY, 2006.

P.C. :

1. Heard the learned counsel for the Appellant and the Respondents. Perused the affidavit in support of the Notice of Motion. For the reasons stated in the affidavit in support of the Notice of Motion, sufficient cause is made out. There is no case of inaction, negligence or want of bona-fide on the part of the Appellant. Hence, the Notice of Motion is made absolute in terms of prayer clause (a).

2. Place the Appeal for admission on 17.8.2006.

(DR.S. RADHAKRISHNAN, J.)

(S.J. VAZIFDAR, J.)